



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

Virginia statute is similar to the statute in the instant case but no case has arisen which involves the point in question. Va. Code, 1904, § 2614a.

CONFLICT OF LAWS—MARRIED WOMAN'S CONTRACT—LAWS OF WHAT STATE GOVERN.—A married woman domiciled in Tennessee made a contract in Tennessee void under the laws of that State, but to be performed in Virginia where such contracts were valid. All parties later became domiciled in Virginia. When sued on the contract in Virginia the married woman pleaded her disability under the Tennessee law. *Held*, the defendant is liable. For discussion of principles involved, see note, 5 VA. LAW REV. 345.

LIBEL AND SLANDER—PUBLICATION OF LIBELOUS AFFIDAVIT—QUALIFIED PRIVILEGE—CHARGE OF EMBEZZLEMENT A JURY QUESTION.—The cashier and assistant cashier of a bank prepared an affidavit, sworn to before a notary public, that the bank had paid a voucher to the plaintiff, signed by him as chairman of the board of education, which voucher stated on its face that it was to pay the plaintiff's expenses for a trip to a teachers' assembly. Such an expenditure was unauthorized. The defendant published this affidavit in his newspaper, alleging in effect that the plaintiff had converted the funds of the county without legal authority for his personal business. No such voucher was ever issued by the plaintiff. The plaintiff brought an action against the defendant for libel. *Held*, judgment for the plaintiff. *Lewis v. Carr* (N. C.), 101 S. E. 97.

A publication stating that the plaintiff, a chief of police, had collected certain fines of an official, which fines did not appear by the records of the police court to have been recorded, imputes to the plaintiff conduct tending to injure his reputation in the estimation of good citizens, and is libelous. *Moss v. Harwood*, 102 Va. 386, 46 S. E. 385. But such a publication does not of itself charge the plaintiff with embezzlement or larceny. See *Moss v. Harwood*, *supra*.

Publications may be made before or after mailing, either by dictation to a stenographer, or by making the contents of the letter known to other persons before or after it is mailed. *Sun Life Assurance Co. v. Bailey*, 101 Va. 443, 44 S. E. 692. The intent to circulate the libel in the instant case is shown by the preparation of the affidavit and the handing of it to the publisher. See *McGee v. Baumgartner*, 121 Mich. 287, 80 N. W. 21. The publication, by the cashier and assistant cashier, of the plaintiff's conversion of the money to his own use is not absolutely privileged. See *Martin v. Paine*, 69 Minn. 482, 72 N. W. 450. But such a publication may be qualifiedly privileged, and the plaintiff must show malice in order to recover. See *Howarth v. Barlow*, 113 App. Div. 510, 99 N. Y. Supp. 457. But such malice may be shown by the publication of a charge which the defendants knew, or should have known by means of information in their power, was false. See *Osborn v. Leach*, 135 N. C. 630, 47 S. E. 811, 66 L. R. A. 648.